

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

FILED
2010 OCT 13 PM 3:16

IN RE:)
)
TIBURON POINTE APARTMENTS, L.L.C.)
)
Debtor.)

UNITED STATES BANKRUPTCY CLERK
FOR THE DISTRICT OF NEBRASKA
LINCOLN
CASE NO. 10-81025
CHAPTER 11

IN RE:)
)
TIBURON VIEW APARTMENTS, L.P.)
)
Debtor.)

CASE NO. 10-81025
CHAPTER 11

STIPULATION REGARDING MOTION TO APPOINT TRUSTEE

The parties have entered into a stipulation in order to facilitate cooperating toward a resolution of the issues in the pending action. It is hereby stipulated and agreed to by and between the parties hereto and their respective attorneys of record as follows:

1. The parties stipulate that the Motion to Appoint a Trustee will be continued until June 1, 2011, and that said Motion will be set by the Court for a date certain.

2. The parties stipulate and agree that a management company will be hired within 10 days of today's date to manage the apartment complexes through June 1, 2011. Said manager will be chosen by the US Trustees Office.

A. Said management will include the managing and handling of all financial transactions and all contracting for services

3. The parties agree to cooperate during this period to facilitate completing an agreed upon Disclosure Statement and Plan. The parties stipulate to cooperate in general but also agree to cooperate specifically as follows:

A. All parties will cooperate in releasing all relevant documentation without formal requests for the purpose of analysis by all parties of the issues pending including repayment of loans made, analysis of deposits, and images of checks, bank records, a current breakdown of ownership percentages and any appraisals done of the properties.

B. All parties will cooperate in discussion to reach an agreed upon Disclosure Statement that addresses all issues within 30 days of today's date.

4. Brian Bidne and Dennis Walker agree to allow an extension of time to answer of further respond for 90 days from today's date for all Defendant's except Eugene and Sue Fisher and Robert and Caroline Hansen who will have a 45 day extension of time to file the response to current pending action in state court at Douglas County District Court Doc. 1110 No. 974

5. In the event any party believes another party has breached the agreements contained herein or has not dealt in good faith as is agreed, that party may contact the Bankruptcy Court to set the Motion to Appoint a Trustee for an earlier date.

Dated this 13th day of October, 2010.

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